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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/501,443

07/13/2004

Johnson Oyama

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EXAMINER

JAKOVAC, RYAN J

ART UNIT

PAPER NUMBER

2145

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/501,443	Applicant(s) OYAMA ET AL.	
	Examiner RYAN J. JAKOVAC	Art Unit 2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 April 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over 3GPP in view of “3rd Generation Partnership Project; Technical Specification Group Core Network; Signalling flows for the IP multimedia call control based on SIP and SDP” (hereinafter D2).

Regarding claim 7, 3GPP teaches a method for providing multiple session description protocol media flows for one packet data protocol context, comprising the steps of:

sending, from a packet-cscf to a user equipment, a session initiated protocol message (Page 18, paragraph 2, Session initiated protocol message is sent from packet-cscf to a user equipment.) comprising an indication that a particular session description protocol media flow can be combined with further session description protocol media flows in a single packet data protocol context (Page 43-46, Multiple different media announcements (indicated by “m=”))

indicate different flows which are combined to the same single packet data protocol context. See also page 13, paragraph 5, The binding mechanism handling associates the PDP context bearer with one or more flows. See page 44, the packet cscf authorizes QoS resource for the user equipment with multiple media flows.); and receiving said message in the user equipment (Page 18, paragraph 2, User equipment receives session initiated protocol message from packet-cscf.), which performs the steps of: interpreting the indicator (Page 17, paragraph 6 to Page 18, paragraph 3, The user equipment reads the different media announcement fields and authorization tokens. See also page 13, paragraph 9, User equipment provides authorization tokens and flow identifiers used to provide the binding mechanism. Page 18, paragraph 8, User equipment uses flow identifiers.); selecting a packet data protocol context; and sending a set-up request message for setting up said packet data protocol context (Page 18, paragraph 8, PDP context activation messages.), said message comprising an authorization token (Page 18, paragraph 8, Authorization token) and identifiers of session description protocol media flows (Page 18, paragraph 8, Multiple flow identifiers.). ;

3GPP does not teach wherein the indication is sent from a home network of the user equipment to a visited network wherein the user equipment is currently located and is cached in said visited network before it is sent to the user equipment; and,

wherein the indication conveys information indicating whether the home network requires policing for each media flow, counting of packets per media flow, or flow independent policing.

However D2 teaches wherein the indication is sent from a home network of the user equipment to a visited network (D2, Fig. 7.2.2.2-1, The session initiated protocol message

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including media announcements is sent from the s-cscf in the home network to the p-cscf in the visited network. See also page 75, number 5, S-CSCF#1 examines the media parameters, and removes any choices the user is not authorized for.) wherein the user equipment is currently located and is cached in said visited network before it is sent to the user equipment (D2, Page 78, first paragraph, Information is stored at the P-CSCF on the home network.); and, wherein the indication conveys information indicating whether the home network requires policing for each media flow, counting of packets per media flow, or flow independent policing (3GPP, Page 43, paragraph 3, Minimum policed unit).

Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to combine wherein the indication is sent from a home network of the user equipment to a visited network as taught by D2 with the method of 3GPP in order to support roaming subscribers (D2, page 265).

Response to Arguments

Applicant's arguments filed 04/07/2008 have been fully considered but they are not persuasive. It would have been obvious to one of ordinary skill in the art at the time of invention to combine wherein the indication is sent from a home network of the user equipment to a visited network as taught by D2 with the method of 3GPP in order to support roaming subscribers (D2, page 265).

Conclusion

2. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RYAN J. JAKOVAC whose telephone number is (571)270-5003. The examiner can normally be reached on Monday through Friday, 7:30 am to 5:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason D. Cardone can be reached on (571) 272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RJ

/Jason D Cardone/
Supervisory Patent Examiner, Art Unit 2145